THE HON'BLE SRI JUSTICE V.V.S.RAO

Writ Petition No.21898 of 2005

06-10-2005

Between:

Syed Jeelani, S/o Syed Meer,

Aged 42 years, Occ: Business,

R/o Tadban, Hyderabad.

.. Petitioner

and

The Commissioner,

Municipal Corporation of Hyderbad,

Tankbund, Hyderabad and another

.. Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

Writ Petition No.21898 of 2005

ORDER:

The petitioner claims to be the owner of the property bearing Municipal No.19-2-102/1 and 102/2, Tadban, Hyderabad. At present there are mulgies in the property. On a complaint made by the neighbours alleging that the petitioner encroached upon the municipal road, the respondents issued notice on 26-09-2005 requesting the petitioner to submit the title deeds. Accordingly, the petitioner submitted the title deeds and enquiry is still pending. In the meanwhile, the petitioner alleges that the respondents are trying to demolish the mulgies without following the due process of law. Therefore, the petitioner seeks a direction to the respondents not to demolish the mulgies without following the due process of law.

Heard learned counsel for the petitioner and learned standing counsel for the Municipal Corporation.

Even according to the petitioner, on 26-09-2005 the respondents issued a notice to the petitioner requiring him to produce the title deeds and accordingly the petitioner produced the documents. In such an event, unless and until the respondents come to a proper conclusion on the material placed by the petitioner and issue notice before demolition, they cannot interfere with the property of the petitioner. This observation would safeguard the interests of the petitioner.

The writ petition, with the above observations, is disposed of at the stage of admission.

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V.V.S.RAO, J

06-10-2005

Note:

Furnish copy in one
week on usual terms.

(b/o)

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